

# SENATE NO. 724

## **AN ACT** RELATIVE TO THE RIGHTS OF FACULTY MEMBERS AT THE UNIVERSITY OF MASSACHUSETTS

*Be it enacted by the Senate and House of Representatives in General Court assembled,  
And by the authority of the same, as follows:*

1 SECTION 1. Chapter 75 of the General Laws is hereby amended by striking out section 4, as  
2 appearing in the 2004 Official Edition, and inserting in place thereof the following section:—  
3 Section 4. The trustees shall determine the time and place of their meeting. Nine members shall  
4 constitute a quorum. Meetings of the board of trustees shall be subject to the provisions of sections  
5 11A and 11A½ of chapter 30A; provided, however, that in addition to the purposes set forth in said  
6 section 11A½, the trustees may hold an executive session to consider the award of honorary degrees.  
7 The trustees may further hold an executive session to consider the award of tenure to a member of the  
8 faculty, if the member who is being considered for tenure in such executive session has been notified  
9 in writing, by the trustees, at least 48 hours prior to the proposed executive session; provided,  
10 however, that notification may be waived upon agreement of the parties; and provided, further, that the  
11 trustees shall hold an open meeting if such member requests that the meeting be open. If an executive  
12 session is held, such member shall have the following rights: (a) to be present at such executive  
13 session during discussion or considerations which involve such member; (b) to have counsel or a  
14 representative of his own choosing present and attending for the purpose of advising such member and  
15 not for the purpose of active participation in said executive session; and  
16 (c) to speak on his own behalf.